

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ORLANDO BETHEL, et al., :

Plaintiffs, :

vs. : **CA 06-0223-KD-C**

THE BALDWIN COUNTY BOARD :
OF EDUCATION, et al.,

Defendants. :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, the recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(3) and dated October 10, 2008, is **ADOPTED** as the opinion of this court.¹ Accordingly, it is hereby **ORDERED, ADJUDGED** and **DECREED** that the plaintiff's motion is due to be, and hereby is, **DENIED**.

DONE this 16th day of October 2008.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE

¹ Delegations to a magistrate judge pursuant to U.S.C. § 636(b)(3) do not carry with them the requirements of § 636(b)(1) or § 636(b)(1)(C), and so there is no ten day waiting period for the appeal process. *Minetti v. Port of Seattle*, 152 F.3d 1113, 1114 (9th Cir. 1998) (per curiam). *See also United States v. Brumer*, 528 F.3d 157, 160 (2nd Cir. 2008).